JC05 Rec'd PCT/PTO 24 OCT 2001

FORM PTO-1390
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER: 468452000200

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5): 10/069448

| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | PRIORITY DATE CLAIMED |
|---|---|---|
| PCT/AU00/00389 | 1 May 2000 | 29 April 1999 |

TITLE OF INVENTION: **NON-AQUEOUS SHAMPOO COMPOSITION**

APPLICANT(S) FOR DO/EO/US: **FUCHSHUBER, Lilian; HARDING, Ron**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
   a. ☒ is attached hereto (required only if not communicated by the International Bureau). (published International Application with International Search Report)
   b. ☐ has been communicated by the International Bureau.
   c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application under PCT Article 19 (35 U.S.C. 371(c)(2)).
   a. ☐ is attached hereto.
   b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
   a. ☐ are attached hereto (required only if not communicated by the International Bureau).
   b. ☐ have been communicated by the International Bureau.
   c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
   d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unexecuted)
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☒ A copy of International Preliminary Examination Report.
16. ☒ A copy of FORM PCT/IPEA/402.
17. ☒ A copy of DEMAND.
18. ☒ A copy of Written Opinion.
19. ☒ A copy of Request.
20. ☒ Other items or information: return receipt postcard.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EL 817 618 077 US  Date of Deposit: October 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, Attention: United States Designated /Elected Office (DO/EO/US).

Chase Trombella

sf-1191752

| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) * 10/069448 | INTERNATIONAL APPLICATION NO. PCT/AU00/00389 | ATTORNEY'S DOCKET NUMBER: 468452000200 |
|---|---|---|

21. ☒ The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... $1,040.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... $890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... $740.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provision of PCT Article 33(1)-(4) ..... $710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... $100.00

| | CALCULATIONS PTO USE ONLY | |
|---|---|---|
| **ENTER APPROPRIATE BASIC FEE AMOUNT =** | $1,040 | |
| Surcharge of **$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | $.00 | |

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
|---|---|---|---|---|---|
| Total claims | 10 - 20 = | 0 | x $18.00 | $.00 | |
| Independent claims | 1 - 3 = | 0 | x $84.00 | $.00 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + $280.00 | $.00 | |
| **TOTAL OF ABOVE CALCULATIONS =** | | | | $1,040 | |
| ☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | | | $520.00 | |
| **SUBTOTAL =** | | | | $520.00 | |
| Processing fee of **$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + | | | | $0.00 | |
| **TOTAL NATIONAL FEE =** | | | | $520.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **$40.00 per property** + | | | | $0.00 | |
| **TOTAL FEES ENCLOSED =** | | | | $520.00 | |
| | | | | **Amount to be refunded:** | **$*** |
| | | | | **charged:** | **$*** |

a. ☐ A check in the amount of $ to cover the above fees is enclosed.

b. ☒ Please charge my **Deposit Account No. 03-1952** in the amount of $520.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to **Deposit Account No. 03-1952**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Cameron A. King
Morrison & Foerster LLP
425 Market Street
San Francisco, California 94105-2482

Date: October 24, 2001

SIGNATURE

Cameron A. King
Registration No. 41,897